

CONFERENCE REPORT ON H.R. 3539,
FEDERAL AVIATION AUTHORIZA-
TION ACT OF 1996

SPEECH OF

HON. CORRINE BROWN

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Friday, September 27, 1996

Ms. BROWN of Florida. Mr. Speaker, I rise today to express my disappointment in the passage by the House of the conference report for H.R. 3539 which reauthorizes the Federal Aviation Administration.

As a member of the Aviation Subcommittee, I've worked in a bipartisan fashion with Chairman SHUSTER, Chairman DUNCAN, Congressman OBERSTAR, and Congressman LIPINSKI to develop this important legislation to authorize funding for our Nation's airports and to address serious aviation security issues in a noncontroversial bill that could be enacted by the end of the fiscal year in order to avoid disruption in AIP funding for the Nation's airports. The future ability of our Nation's airports to provide safe and convenient air transportation strongly depends on the AIP Program.

I was especially pleased with provisions in the bill regarding the Military Airport Program. Nationwide, there is \$30 billion of military airfield infrastructure that can be converted and used to meet the capacity needs of the national aviation system. In addition, the bill changes the criteria for the FAA's distribution of discretionary AIP funds to address issues raised by airports in Florida.

Unfortunately, I remain opposed to the conference report as long as it contains a provision added in conference for a particular company. This antiworker provision would make it very difficult for employees of this company to organize as a union. It is unconscionable that this provision was attached at the last minute, without the benefit of hearings, to a bill that has broad bipartisan support.

I hope that the Senate will do the right thing, and take this controversial provision out of the bill so that it can be signed into law by the October 1 deadline.

SUSTAINABLE FISHERIES ACT

SPEECH OF

HON. GEORGE MILLER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Friday, September 27, 1996

Mr. MILLER of California, Mr. Speaker, yesterday, the House passed S. 39, The Sustainable Fisheries Act, and sent that measure to the President. I regret that this important fishery management bill was significantly altered, and weakened, by the Senate during a year of consideration, and that the House was denied any opportunity to improve on that version of the legislation.

H.R. 39 as passed by the House last year was a much stronger bill for the fish and the fishermen. While I realize that S. 39 does include important conservation measures, these measures could have been stronger. They should have provided more protection for the fish stocks, the fishing communities, and for the taxpayers.

The inferior version finally passed by the Senate contained many provisions that are un-

acceptable to the west coast fishing industry, including commercial fishermen, and processors. And it contains several provisions were particularly unacceptable, such as authorizing the Secretary to buy back fishing permits—that were granted for free—in biologically depressed fisheries and allowing violators of International Whaling Commission restrictions to gain access to U.S. territorial waters.

The Senate also deleted provisions of the House bill to assure that smaller communities are fairly represented, and to prohibit the private profiting from the sale of fishing quotas, which could also allow the growing concentration of quotas in the hands of the large-scale industry at the expense of family fishermen.

I am inserting in the RECORD two letters from fisheries industry groups in California, expressing their opposition to the House acceptance of S. 39 and their desire to see amendments made to the bill before it became law.

Finally, I would just like to thank the fishing families of California for their support. During the past 2 years, they worked tirelessly with us to ensure that the best Magnuson bill possible was enacted in to law. I regret that in the final analysis, the House leadership decided simply to accept the Senate's version that was negotiated with no input from the House. I salute the efforts of those families. In addition, I pledge to work with them in the years ahead to continue to seek the protections that our small fishing families and the fishery resources deserve.

WEST COAST SEAFOOD
PROCESSORS ASSOCIATION,
Portland, OR, September 18, 1996.

Hon. DON YOUNG,
Chairman, Committee on Resources,
Rayburn Building, Washington, DC.

DEAR DON: As you know, over the past two years our Association has worked with you, other members of the House, and your counterparts in the Senate to develop a Magnuson Fishery Conservation and Management Act bill that will conserve and manage our fisheries and still provide an opportunity for our members to conduct their business and employ thousands of workers in Alaska, California, Oregon, and Washington. The House bill, while not perfect, did a good job of accomplishing these goals. The most current version of the Senate bill (which I realize is still being changed) improves the House bill in some areas, but is worse in many others. We had hoped that the Senate would act in time to allow a conference committee to develop a final product that we could all embrace. Unfortunately, time will not permit that to occur.

I have spoken to all of the members of my board of directors. Collectively, they represent the majority of shore based processors of Pacific groundfish, Dungeness crab, and shrimp—along with many other species in California, Oregon, and Washington. In addition, they represent shore based processors of salmon, king crab, tanner crab, pollock, cod, sole, sablefish, halibut, herring, and razor clams with plants on the Kenai Peninsula and in Bristol Bay, Kodiak, Cordova, and Petersburg. They unanimously agree that—absent a regular conference committee—the House should amend the Senate bill and return it to the Senate.

This decision was not made lightly. All of my members recognize the risks that this action would entail. However, they would rather make a fresh start in the next Congress than have a bill signed into law which has the potential to put them out of business.

To give you just a few examples, here are some of the Senate provisions which need to be addresses:

The Senate provisions on overfishing and bycatch do not take into account the realities of commercial fishing, leaving the industry, the Councils, and NMFS open to crippling lawsuits that could shut down fishing.

The Senate enforcement provisions could subject a fisherman or processing worker to criminal penalties if they get into an argument with a port sampler under contract to NMFS.

The Senate bill would allow the Secretary to impose a federal limited entry plan—not reviewable by the Council on fisheries such as Gulf of Alaska king crab, Pacific Dungeness crab, and Atlantic striped bass.

A fisherman writing a letter to a Council who does not provide complete documentation for his views could be subject to a \$100,000 fine.

The Senate bill could allow a State to allocate Dungeness crab through area closures and pot limits at the expense of traditional fishermen legally harvesting crab in federal waters.

Every groundfish fisherman in the Pacific Council area would be required to register their limited entry permit with a newly established lien identification system and pay a fee every time the permit was transferred a provision that was never discussed with affected fishermen in California, Oregon, and Washington.

This is not an all-inclusive list of troublesome provisions, but it demonstrates the additional work that is needed on the Senate bill before it becomes law. On behalf of our members and their employees in San Luis Obispo, the San Francisco area, Sacramento, Fort Bragg, Eureka, Crescent City, Brookings, Charleston, Newport, Astoria, Warrenton, Portland, Chinook, Westport, Seattle, Bellingham, Petersburg, Cordova, the Kenai Peninsula, Kodiak, and Bristol Bay, I urge you to improve S. 39 when it arrives in the House and return it to the Senate for final action.

Sincerely,

ROD MOORE,
Executive Director.

PACIFIC COAST FEDERATION
OF FISHERMEN'S ASSOCIATIONS,
Sausalito, CA, September 23, 1996.

Re Reauthorization of the Magnuson Act.

Hon. GEORGE MILLER,
Ranking Minority Member, House Committee on
Natural Resources, Longworth House Office
Building, Washington, DC.

DEAR GEORGE: The Pacific Coast Federation of Fishermen's Associations (PCFFA), representing working men and women in the west coast commercial fishing fleet, respectfully requests the House reject the effort to force House adoption of the Senate bill, S. 39, to reauthorize the Magnuson Act. While PCFFA had encouraged the Senate to take action on Magnuson, after nearly two years of delay, and worked for inclusion of language giving California, Oregon and Washington jurisdiction in federal waters over the Dungeness crab fishery, it was with the understanding that the two bills would be reconciled in conference. We understand now that this may not happen due to the Senate's delay.

PCFFA fully supports the House bill: Indeed, the only thing missing from it was the Dungeness crab language. The Senate version, on the other hand, we find seriously flawed and suggest that no bill this session would be better than adopting the measure passed last week by the Senate. There are a number of concerns we have with the Senate version, including:

S. 39 would require any limited access fishery (most of our west coast and Alaska fisheries are under limited entry, including